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EDITORIAL



Friends,

GST collections touched a record high of Rs 1.87 lakh crore in April 2023. Further, the GST Law is becoming more and more stringent for the persons with economically ulterior motives and The Government has made its stand further more clear vide issuance of Instruction No. 01/2023-GST dated 4th May 2023. This Instruction issued by CBIC is on a very serious matter which is impacting the economy adversely and against which the Centre and States have decided to Act in Unison and in a time bound manner. A Special All-India Drive against fake registrations would be affected in 2 months between 16th May 2023 to 15th July 2023 to weed out those GSTINs which are fake and are involved in fake transfer of Credit. It is important to understand the salient features of the Instruction which are summarised as below. However, more important for genuine taxpayers is to ensure that certain errors and omissions which may have been committed by them are sanitized so that they are adequately compliant with the GST Law, procedurally and substantially. We discuss these as below -

GST Fake Registrations Clean Up Drive May 2023: Issues & Safeguards –

1. It has been found that in some cases, forged documents, such as forged electricity bills, property tax receipts, rent agreements, etc. have been used as proof of principal place of business to obtain GST registration. The beneficiary/mastermind of a transaction is someone else but on paper it's another person, sometimes from economically weaker section.
2. It has been found that persons are non-existent at their PPOB (Principal Place of Business) /APOB (Additional Place of Business).

3. A Special Drive to cleanse the system will be taken between 16th May 2023 to 15th July 2023 on the basis of data shared by GSTN; various available analytical tools like BIFA, ADVAIT, NIC Prime, E-Way analytics, etc, as well as through human intelligence, Aadhar database, other local learnings and the experience gained through the past detections and modus operandi alerts.

4. SGST & CGST Departments will work in close co-ordination in the drive. A nodal officer shall be appointed by each of the Zonal CGST Zone and State to ensure seamless flow of data and for coordination with GSTN/ DGARM and other Tax administrations. Recovery can take place in the other state/jurisdiction through Nodal officers appointed for each jurisdiction and an All India Information Sharing Mechanism. The co-ordination shall be done by National Co-ordination Committee at the Highest Level.

5. Actions like suspension/cancellation of GSTIN, blocking of ITC, recovery from recipient, attachment, etc can take place in the matter.

Errors & Omissions by Taxpayers to be sanitized –

1. Physical and Documentary Existence at Place of Business.
2. "Invoicing without Supply" is an offence under GST even even incase all compliances are done. Especially "Service Providers" need to beware.
3. Both inward as well as outward movement require E-Waybill. Hence E-Waybill reconciliation is to be done with inward as well as outward supplies.
4. Incase Authorised Signatory has changed, please change it on GST Portal.

Just to reiterate that we remain available over telecom or e-mail.

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TAX CALENDAR

Due Date	Form/Return /Challan	Reporting Period	Description
7 th May	Deposit of Tax Deducted/ Collected	April 2023	Due date for deposit of Tax deducted/collected for the month of April, 2023. However, all sum deducted/collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan
10 th May	GSTR 7	April 2023	A return which is required to be filed by the persons who deduct tax at the time of making/crediting payment to suppliers towards the inward supplies received.
10 th May	GSTR 8	April 2023	A return that e-commerce operators must file if they are obligated to deduct TCS (Tax collected at source) under GST
11 th May	GSTR 1	April 2023	Taxpayers having an aggregate turnover of more than Rs. 1.50 Crores or opted to file Monthly Return
13 th May	GSTR 1 IFF	April 2023	GST return for the taxpayers who opted for QRMP scheme (Optional)
13 th May	GSTR 5	April 2023	A return to be filed by all persons registered as Non- Resident Taxpayer (NRTP).
13 th May	GSTR 6	April 2023	A monthly return to be filed by all the Input Service Distributors (ISD) for distribution of credit (ITC) amongst its units.

INCOME TAX

NOTIFICATION

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF INDIA AND THE GOVERNMENT OF THE REPUBLIC OF CHILE FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 24/2023 dated 03.05.2023 notified whereas, an Agreement and Protocol between the Government of the Republic of India and the Government of the Republic of Chile for the elimination of double taxation and the prevention of fiscal evasion and avoidance with respect to taxes on income, was signed at Chile on the 9th day of March, 2020, as set out in the Annexure as mentioned in the notification.

And whereas, the said Agreement and Protocol entered into force on the 19th day of October, 2022, being the date of the later of the notifications of the completion of the procedures required by the respective laws of the Contracting States for entry into force of the said Agreement and Protocol, in accordance with paragraph 1 of Article 30 of the said Agreement;

And whereas, sub-paragraph (a) of paragraph 2 of Article 30 of the said Agreement provides that the provisions of the Agreement shall have effect in India in respect of income derived in any fiscal year beginning on or after the first day of April next following the date on which the Agreement enters into force;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 90 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that all the provisions of said Agreement and Protocol, as annexed hereto, shall be given effect to in the Union of India.

[For further details please refer the notification]

CASE LAW

LIABILITY OF DIRECTORS OF PRIVATE COMPANY - ORDER U/S 179 MADE AGAINST THE PETITIONER FOR PENDING TAX DUES OF PVT. LTD.COMPANY: GUJARAT HIGH COURT

OUR COMMENTS: It has been held that there is no discussion on the elements which are basic in nature for invoking jurisdiction under Section 179 of the Income Tax Act, there is no subjective satisfaction on such and additionally the notice itself is found to be vague and as such, apparently, it appears that the action is not sustainable in view of the settled proposition of law.

The order which has been passed by the authority is without dealing with the basic elements of Section 179 of the Income Tax Act and the same being suffering from the vice of non-application of mind, we may deem it proper to quash the same, of course with liberty to the respondent authority to pass a fresh order after issuing proper notice to the petitioner which must indicate briefly the steps to be taken by the department to recover the tax dues from the private limited company in default and its failure to recover is possible to be attributed to the petitioner. We may also deem it proper to quote the proposition of law laid down by the Hon'ble Apex Court on the issue of proper notice being noticed while initiating the step.

The Court hereby allowed the petition by quashing and setting aside the notice as well as order passed by the respondent authority and while allowing the petition we reserve liberty for respondent by observing that it shall be open for the respondent to issue fresh notice for the purpose of proceedings against the petitioner under Section 179 of the Income Tax Act and shall pass a fresh order in accordance with law on the subject in question, if it deems fit.

GST

ADVISORY

ADVISORY FOR TIMELY FILING OF GST RETURNS

OUR COMMENTS: The GSTIN has came up with an Advisory on 04-05-2023 on the GST common portal www.gst.gov.in reg. 'Advisory for Timely Filing of GST Returns'. The said Advisory is as under:

1. It has been observed that some taxpayers faced difficulty in filing GSTR-3B of March 23' period on 20th April 2023'. On analysing the reasons, it was noted that large number of tax payers attempted to file GSTR-3B returns in the afternoon of the last day (20.05 lakhs GSTR-3B returns were filed on that day). This resulted in a waiting queue on GST system causing inconvenience to some of the taxpayers.
2. Around 45% of the returns filed on 20th April, 23' were either NIL returns (no tax liability and no ITC availment) or were such returns where no tax was paid in cash. These returns could easily have been filed earlier. Further, it is suggested that taxpayers may use SMS filing option to file NIL returns as it would be quicker and a more convenient way to file NIL returns and will also help to reduce queue on the GST system. Taxpayers are therefore advised to file their Form GSTR- 3B well in advance to avoid last day rush.
3. It has also been observed that some taxpayers are uploading large number of invoices (viz upto 27 lakhs) of the past period in one GSTR-1 on the due date of filing. Taxpayers are advised to inculcate a month-wise return filing discipline for all the B2B invoices for the month and avoid reporting invoices of the past period in one go, as such behaviour can adversely impact the queue (waiting time) on the GST system.
4. It can thus be seen that with better planning of return filing, the difficulty faced by the taxpayers due to last minute rush can be avoided and it would be of help to fellow taxpayers as well. It may also be noted that GSTN has considerably upgraded its infrastructure over a period of time.

[For further details please refer the advisory]

CASE LAW

NO SECOND APPELLATE FORUM - PETITIONER HAS ALREADY DEPOSITED 10% OF THE DEMANDED TAX AMOUNT BEFORE THE FIRST APPELLATE AUTHORITY - REJECTION UNDER SUB-SECTION (1) OF SECTION 107: ORISSA HIGH COURT

OUR COMMENTS: The present writ petition is being entertained only because the Second Appellate Tribunal has not yet been constituted. The petitioner has filed this writ petition challenging the 1st appellate order dated 31.01.2023 passed by the Addl. Commissioner of State Tax (Appeal) North Zone, Sambalpur, by which said authority has not admitted the appeal preferred by the petitioner, as the same is in contravention to sub-sections (1) & (4) of Section 107 of the GST Act and has rejected the appeal filed under sub-Section (1) of Section 107 of the Odisha Goods and Services Tax Act, 2017. Learned counsel for the petitioner contended that the petitioner is not liable to pay the tax and penalty and, as such, against the order passed by the 1st appellate authority though second appeal lies, the 2nd appellate tribunal has not yet been constituted. It is contended that the petitioner has already deposited 10% of the demanded tax amount before the first appellate authority and as there is no second appellate forum, this Court should entertain this writ petition.

It has been held that, since the petitioner wants to avail the remedy under the provisions of law by approaching 2nd appellate tribunal, which has not yet been constituted, as an interim measure subject to the Petitioner depositing entire tax demand within a period of four weeks from today, the rest of the demand shall remain stayed during the pendency of the writ petition.

FEMA

CASE LAW

FOREIGN CONTRIBUTION REGULATION - NON-FILING OF THE RETURNS - ANNUAL RETURNS FOR THE YEARS 2019-2020 WERE TO BE UPLOADED IN FORM FC-4 FOR WHICH SBI ACCOUNT AS OF 31ST MARCH, 2020 WAS NEEDED, THE DETAILS OF THE SBI BANK ACCOUNT COULD NOT BE GIVEN : DELHI HIGH COURT

OUR COMMENTS: Petitioner seeking directions to the Respondent – Ministry of Home Affairs, Union of India to allow the Petitioners to fill and upload Form FC-4 on the Respondent's portal in order to enable them to file the annual returns for the financial year 2019-2020 - whether the SBI bank account could have been sought for as of 31st March 2020, when the amendment itself came into effect later i.e., in September 2020? - HELD THAT:- In view of the reasoning given in the said order in WNS Cares Foundation [2023 (1) TMI 944 - DELHI HIGH COURT] as held receipt of foreign contribution "as on 31st March of the year ending" has to be provided and the bank account has to be in the SBI, Sansad Marg branch. Since the Petitioner No.1 opened its account in August, 2021 and in any case, as on 31st March, 2020, the Foreign Contribution Regulation (Amendment) Act, 2020, had not come into effect, there appears to be some justification in the Petitioners' case. Petitioner No.1 having opened its FCRA account in August, 2021 is, accordingly, permitted to fill up the said details of its FCRA account in serial no.7 of the Form FC – 4 and submit the same.

In this case the Petitioners also having already opened their bank accounts with SBI Sansad Marg Branch, the Petitioners are permitted to upload their annual returns for the year 2019-2020 by specifying the SBI account number of the account which was subsequently opened by them.

CASE LAW

MAINTAINABILITY OF WP AGAINST VIOLATION OF THE FOREIGN EXCHANGE MANAGEMENT ACT, 1999 - PROCEEDINGS INITIATED U/S 6(3) OF THE ACT, 1999 - THE PROVISION HAS BEEN OMITTED - SAVING CLAUSE - SCOPE OF ALTERNATIVE REMEDY : TELANGANA HIGH COURT

OUR COMMENTS: It has been held that, Section 6 of the Act, 1897 is applicable to omission of a provision by the legislature. Section 6 of the Act, 1897 saves all the pending proceedings under a provision that was subsequently omitted. Now coming to the facts of the case, it is not in dispute that the proceedings for violations of Section 6(3)(b) of the Act, 1999 were initiated in the year 2017. When the proceedings were initiated against the Petitioners, Section 6(3) of the Act, 1999 was still in force. Therefore, by virtue of Section 6 of the Act, 1897 the proceedings against the Petitioners are saved and cannot be disturbed merely because Section 6(3) of the Act, 1999 was subsequently omitted.

According to this Court, Respondent No. 1 was well within his jurisdiction to pass the impugned order dated 04.01.2023. As the Petitioner, has an effective alternative remedy in the form of an appeal under Section 19 of the Act, 1999, this Court, in light of the decision in Assistant Commissioner of State Tax (supra) holds that the present writ petition is not maintainable. Therefore, the present writ petition is liable to be dismissed.

Writ petition is dismissed. However, the Petitioners are at liberty to raise all the contentions before the Appellate Tribunal.

CUSTOMS

NOTIFICATION

EXEMPTION TO SPECIFIED GOODS BEING IMPORTED - EFFECTIVE RATE OF DUTY (CONCESSIONAL RATE OF DUTY) ON CERTAIN GOODS IMPORTED - SEEKS TO AMEND THE VARIOUS CUSTOMS TARIFF NOTIFICATIONS IN ORDER TO ALIGN THE HS CODES OF THE SAID NOTIFICATIONS WITH THE FINANCE ACT, 2023, W.E.F. 01.05.2023

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification No. 36/2023-Customs dated 29.04.2023 notified in exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) read with section 124 of the Finance Act, 2021 (13 of 2021), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby directs that each of the notifications of the Government of India in the Ministry of Finance (Department of Revenue), specified in column (2) of the Table as mentioned in the notification shall be amended in the manner specified in the corresponding entry in column (3) of the Table as mentioned in the notification.

[For further details please refer the notification]

NOTIFICATION

EFFECTIVE RATES OF CUSTOMS DUTY AND IGST FOR GOODS IMPORTED INTO INDIA - SEEKS TO AMEND 50/2017-CUSTOMS IN ORDER TO ALIGN THE HS CODES OF THE SAID NOTIFICATIONS WITH THE FINANCE ACT, 2023, W.E.F. 01.05.2023

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Notification No. 35/2023-Cutoms dated 29.04.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in

the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 50/2017-Customs, dated the 30th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 785(E), dated the 30th June, 2017, namely :-

In the said notification, in the Table, -

(i) against S. No. 226, in column (2), for the entry, the entry "3102 10" shall be substituted;

(ii) against S. No. 451A and the entries relating thereto, the following S. No. and entries shall be substituted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"451A.	8419 89 12, 8419 89 13, 8419 89 14, 8419 89 15, 8419 89 16, 8419 89 17, 8419 89 19	All goods	7.5%	-	-";

(iii) against S. No. 515A, in column (2), for the entry, the entry "8524 11 30 or 8524 12 30" shall be substituted;

2. This notification shall come into force from the 1st of May, 2023.

[For further details please refer the notification]

NOTIFICATION

EXEMPTION TO SPECIFIED GOODS - SEEKS TO AMEND VARIOUS ELECTRONICS RELATED NOTIFICATIONS IN ORDER TO ALIGN THE HS CODES OF THE SAID NOTIFICATIONS WITH THE FINANCE ACT, 2023, W.E.F. 01.05.2023

CUSTOMS

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Circular No. 34/2023-Cutoms dated 29.04.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes further amendments in the following notifications of the Government of India in the Ministry of Finance (Department of Revenue), specified in column (2) of the Table below to the extent specified in the corresponding entry in column (3) of the said Table, namely: -

Sl. No.	Notification number and Date	Amendments
(1)	(2)	(3)
1.	Notification No. 24/2005-Customs, dated the 1st March, 2005, vide number G.S.R. 122(E), dated the 1st March, 2005.	In the said notification, in the Table, - (i) Sr. Nos. 13H and 13P and the entries relating thereto shall be omitted; (ii) against Sr. No. 29, for the entry in column (2), the entry "8524 11 10, 8524 11 90, 8524 91 10, or 8524 91 90" shall be substituted;
2.	Notification No. 25/2005 - Customs, dated the 1st March, 2005, vide number G.S.R. 123(E), dated the 1st March, 2005.	In the said notification, in the Table, against S. No. 17, for the entry in column (2), the entry "8524 11 10, 8524 11 90, 8524 12 10, 8524 12 90, 8524 19 10, 8524 19 90, 8524 91 10, 8524 91 90, 8524 92 10, 8524 92 90, 8524 99 10, or 8524 99 90" shall be substituted.
3.	Notification No. 13/2022 - Customs, dated the 1st February, 2022, vide number G.S.R. 87(E), dated the 1st February, 2022.	In the said notification, in the Table, against S. No. 7, for the entry in column (2), the entry "8524 11 90 or 8524 91 90" shall be substituted.

2. This notification shall come into force on the 1st May, 2023.

[For further details please refer the notification]

NOTIFICATION
RATE OF EXCHANGE OF ONE UNIT OF FOREIGN CURRENCY EQUIVALENT TO INDIAN RUPEES - SUPERSESSION OF THE NOTIFICATION NO. 29/2023-CUSTOMS(N.T.), DATED 20TH APRIL, 2023

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Circular No. 33/2023-Cutoms(N.T) dated 04.05.2023 notified In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the Notification No. 29/2023-Customs(N.T.), dated 20th April, 2023 except as respects things done or omitted to be done before such supersession, the Central Board of Indirect Taxes and Customs hereby determines that the rate of exchange of conversion of each of the foreign currencies specified in column (2) of each of Schedule I and Schedule II annexed hereto, into Indian currency or vice versa, shall, with effect from 05th May, 2023, be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

SCHEDULE-I

Sl. No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
(1)	(2)	(3)	
		(a)	(b)
		(For Imported Goods)	(For Export Goods)
1.	Australian Dollar	55.90	53.50
2.	Bahraini Dinar	223.55	210.20

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3.	Canadian Dollar	61.15	59.10
4.	Chinese Yuan	12.00	11.70
5.	Danish Kroner	12.35	11.95
6.	EURO	92.20	89.00
7.	Hong Kong Dollar	10.60	10.25
8.	Kuwaiti Dinar	275.55	259.05
9.	New Zealand Dollar	52.40	50.05
10.	Norwegian Kroner	7.75	7.50
11.	Pound Sterling	104.55	101.15
12.	Qatari Riyal	23.15	21.60
13.	Saudi Arabian Riyal	22.50	21.10
14.	Singapore Dollar	62.60	60.55
15.	South African Rand	4.65	4.35
16.	Swedish Kroner	8.10	7.85
17.	Swiss Franc	94.40	90.80
18.	Turkish Lira	4.30	4.05
19.	UAE Dirham	22.95	21.60
20.	US Dollar	82.60	80.85

SCHEDULE-II

Sl. No.	Foreign Currency	Rate of exchange of 100 units of foreign currency equivalent to Indian rupees	
(1)	(2)	(3)	
		(a)	(b)
		(For Imported Goods)	(For Export Goods)
1.	Japanese Yen	61.75	59.75
2.	Korean Won	6.4	6

[For further details please refer the notification]

NOTIFICATION

FIXATION OF TARIFF VALUE OF EDIBLE OILS, BRASS SCRAP, ARECA NUT, GOLD AND SILVER

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide Circular No. 32/2023-Cutoms(N.T) dated 28.04.2023 notified In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes & Customs, being satisfied that it is necessary and expedient to do so, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Customs (N.T.), dated the 3rd August, 2001, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii), vide number S. O. 748 (E), dated the 3rd August, 2001, namely:-

In the said notification, for TABLE-1, TABLE-2, and TABLE-3 the following Tables shall be substituted, namely: -

"TABLE-1

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	1001
2	1511 90 10	RBD Palm Oil	1022
3	1511 90 90	Others – Palm Oil	1012
4	1511 10 00	Crude Palmolein	1041
5	1511 90 20	RBD Palmolein	1044
6	1511 90 90	Others – Palmolein	1043
7	1507 10 00	Crude Soya bean Oil	1024
8	7404 00 22	Brass Scrap (all	5154

CUSTOMS

		grades)	
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TABLE-2

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$)
(1)	(2)	(3)	(4)
1.	71 or 98	Gold, in any form, in respect of which the benefit of entries at serial number 356 of the Notification No. 50/2017-Customs dated 30.06.2017 is availed	639 per 10 grams
2.	71 or 98	Silver, in any form, in respect of which the benefit of entries at serial number 357 of the Notification No. 50/2017-Customs dated 30.06.2017 is availed	815 per kilogram
3.	71	(i) Silver, in any form, other than medallions and silver coins having silver content not below 99.9% or semi-manufactured forms of silver falling under sub-heading 7106 92; (ii) Medallions and silver coins having silver content not below 99.9% or semi-manufactured forms of silver falling under sub-heading 7106 92, other than imports of such goods through post, courier or baggage. Explanation. - For the purposes of this entry, silver in any form shall not include foreign currency coins, jewellery made of silver or articles made of silver.	815 per kilogram
4.	71	(i) Gold bars, other than tola bars, bearing manufacturer's or refiner's engraved serial number and weight expressed in metric units;	639 per 10 grams

		(ii) Gold coins having gold content not below 99.5% and gold findings, other than imports of such goods through post, courier or baggage. Explanation. - For the purposes of this entry, "gold findings" means a small component such as hook, clasp, clamp, pin, catch, screw back used to hold the whole or a part of a piece of Jewellery in place.	
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TABLE-3

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$ Per Metric Tonne)
(1)	(2)	(3)	(4)
1	080280	Areca nuts	10379 (i.e., no change)"

This notification shall come into force with effect from the 29th day of April, 2023.

[For further details please refer the notification]

DGFT

PUBLIC NOTICE

NEW TRQ APPLICATIONS UNDER TARIFF HEAD 7108 UNDER INDIA-UAE CEPA FOR FY 2023-24

OUR COMMENTS: The Ministry of Commerce and Industry, Department of Commerce vide Public Notice No. 12/2023 dated 28.04.2023 notified In exercise of powers conferred under paragraph 1.03 and 2.04 of the Foreign Trade Policy, 2023 and in continuation to Public Notice No. 06/2015-20 dated 01.05.2022, 23/2015-20 dated 29.08.2022, 28/2015-20 dated 06.10.2022, 32/2015-20 dated 22.10.2022, 47/2015-20 dated 29.12.2022 and 06/2023 dated 17.04.2023, the Directorate General of Foreign Trade hereby amends the procedures for application for TRQ under tariff head 7108 under India-UAE CEPA for FY 2023-24 as under:

1. New applications for TRQ under tariff head 7108 for FY 2023-24 are invited from the date of this Public Notice and up to 7th May 2023.

2. Applications for TRQ under India-UAE CEPA for the tariff head 7108 for FY 2023-24 are invited online through the DGFT website (<https://dgft.gov.in>) --> Import Management System --> Tariff Rate Quota (TRQ).

3. All applications for TRQ under tariff head 7108 for FY 2023-24 shall be considered as per the guidelines notified vide Public Notice 06/2023 dated 17.04.2023. New applications that may be received pursuant to this Public Notice shall be considered together with the earlier applications already received for TRQ allocation of a total of 140 MTs under tariff head 7108 for FY 2023-24.

4. The minimum lot size of allocation shall be 5 kgs ordinarily and, shall be subject to a downward revision in case the number of eligible applicants is higher. Allocation shall be made in multiples of the minimum lot size and shall be less than or equal to the quantity as requested by the applicant.

5. The said TRQ allocation shall be subject to a 6-monthly review. In cases where the TRQ utilisation is found to be <= 25% in the said review process, 50% of the balance TRQ quantities shall be deemed to be considered as surrendered and shall be considered for re-allocation to other TRQ Allottees.

Effect of this Public Notice: New applications for TRQ for imports under tariff head 7108 under India-UAE CEPA for FY

2023-24 are invited from the date of this Public Notice up to 7th May 2023.

[For further details please refer the public notice]

NOTIFICATION

REALIGNMENT OF RODTEP SCHEDULE W.E.F 01.05.2023 CONSEQUENT TO AMENDMENTS MADE UNDER FINANCE BILL, 2023

OUR COMMENTS: The Ministry of Commerce and Industry, Department of Commerce vide Notification No. 04/2023 dated 01.05.2023 notified In exercise of the powers conferred by Section 5 of the Foreign Trade (Development and Regulation) Act, 1992 read with Para 1.02 of the Foreign Trade Policy 2023, the Central Government hereby makes the following additions/amendments in Appendix 4R w.e.f 01.05.2023:

i. 149 tariff lines at 8 Digit level are added in the RoDTEP schedule

ii. 52 tariff lines at 8 Digit level are deleted from the RoDTEP Schedule

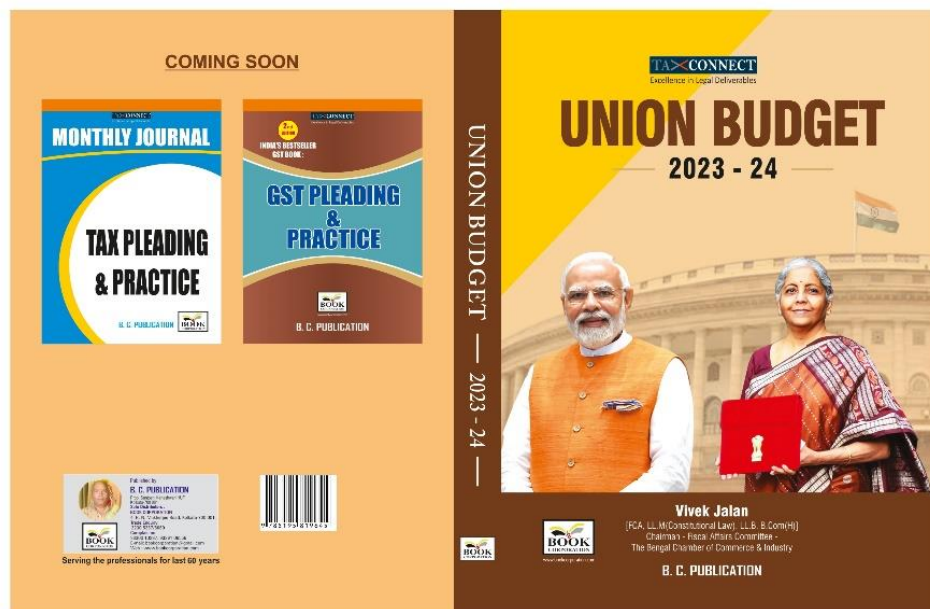
2. The details of HS codes as in Para above along with RoDTEP rates/value caps are available at the DGFT portal www.dgft.gov.in under the link 'Regulatory Updates >RoDTEP'.

Effect of Notification:- Consequent to enactment of Finance Bill, 2023, certain changes in RoDTEP Schedule (Appendix 4R) are being made w.e.f 01.05.2023 to align it with the First Schedule of the Custom Tariff Act.

[For further details please refer the public notice]

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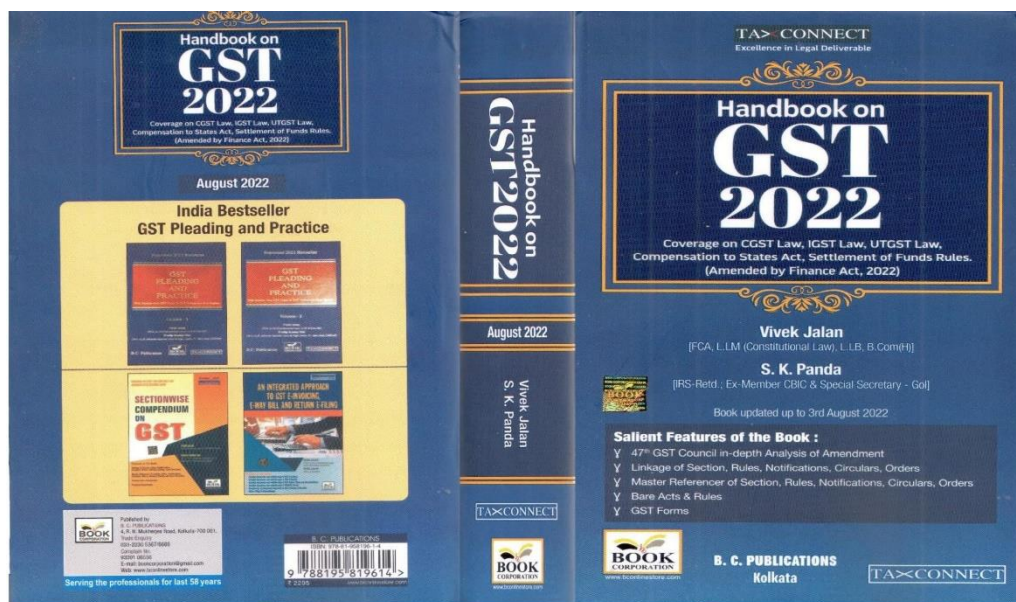
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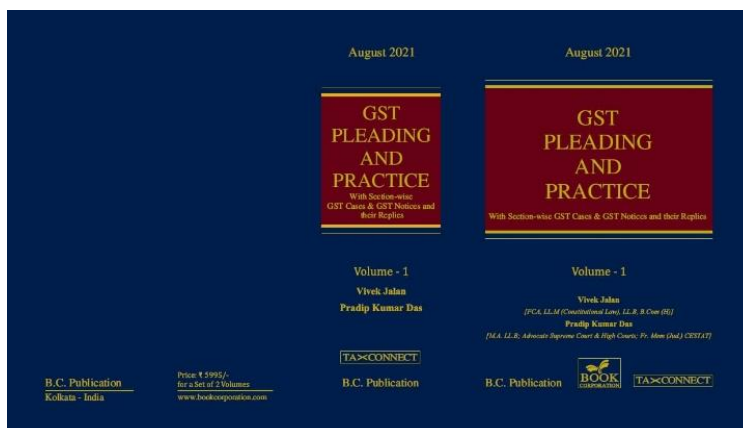
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